

HAILE, SHAW & PFAFFENBERGER, P.A.  
660 U. S. Highway One, Third Floor  
North Palm Beach, FL 33408  
Tel: (561) 627-8100  
Fax: (561) 622-7603  
Gary A. Woodfield  
*Attorneys for Frank Avellino, et al.*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (BRL)

SIPA LIQUIDATION

(Substantively Consolidated)

-----X  
In re:

BERNARD L. MADOFF,

Debtor.

Defendants.

-----X  
**DECLARATION OF GARY A. WOODFIELD IN SUPPORT OF AVELLINOS'**  
**OBJECTIONS TO THE SUBPOENA FOR RULE 2004 EXAMINATION OF FJANCW,**  
**LLC**

GARY A. WOODFIELD declares, pursuant to 28 U.S.C. § 1746:

1. I am a member of the law firm of HAILE, SHAW & PFAFFENBERGER, P.A., attorneys for Frank and Nancy Avellino and make this declaration in support of their Objections to the Subpoena for Rule 2004 Examination of FJANCW, LLC. The purpose of this declaration is to place before the Court certain documents concerning said Objections, the significance of

which is explained in the Objections.

2. Attached hereto as Exhibit A is a true and correct copy of the Subpoena for Rule 2004 Examination with attached Order which was served upon FJANCW, LLC.

3. FJANCW, LLC is an entity organized and existing within the state of Florida, as was its predecessor, FJANCW, LLLP.

4. Attached hereto as Exhibit B is a true and correct copy of the applicable portions of Frank Avellino's Response to the First Set of Requests for Production of Documents served upon him in the Adversary Proceeding filed in the United States Bankruptcy Court for the Southern District of New York, Adv. Pro. No. 10-05421 (BRL). The Response references the precise documents requested; a similar Request and Response were served in reference to Nancy Avellino.

5. Attached hereto as Exhibit C is a Motion to Quash Subpoena which FJANCW is filing in the Bankruptcy Court in and for the Southern District of Florida contemporaneously with filing the Objections.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: June 18, 2018.

Respectfully submitted,

/s/ Gary A. Woodfield  
Gary A. Woodfield  
Florida Bar No. 0563102  
HAILE, SHAW & PFAFFENBERGER, P.A.  
660 U.S. Highway One, Third Floor  
North Palm Beach, FL 33408  
Phone: (561) 627-8100  
Fax: (561) 622-7603  
Email: [gwoodfield@haileshaw.com](mailto:gwoodfield@haileshaw.com)  
*Counsel for the Avellino Defendants*

*Irving H. Picard v. Frank Avellino, et al.*  
Case No. 11-CV-03882 (JSR)  
Declaration of Gary A. Woodfield in Support of  
Avellinos' Objections to Subpoena for  
2004 Examination of FJANCW

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18<sup>th</sup> day of June, 2018, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record or pro se parties via transmission of Notice of Electronic filing generated by CM/ECF.

Respectfully submitted,

/s/ Gary A. Woodfield

Gary A. Woodfield

Florida Bar No. 0563102

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Fax: (561) 622-7603

Email: [gwoodfield@haileshaw.com](mailto:gwoodfield@haileshaw.com)

*Counsel for the Avellino Defendants*